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In re application of :
Helmut Mangold et al. : DECISION ON
Serial No. 09/632,208 : PETITION
Filed: August 03, 2000 :
For: SINTERED METALS :

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a), filed April 18, 2005. The petition requests that the abandonment, as set forth in the Notice of Abandonment mailed March 22, 2005, for failure to timely file a response to the Board of Appeals and Patent Interferences Decision of March 14, 2004 be withdrawn since the applicants have two months from such decision date under 37 CFR 1.197(b) to respond.

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicants' are correct in that there is a two month period of response after a decision by the Board of Appeals and Patent Interferences. Thus the application was prematurely abandoned and accordingly, any holding of abandonment for failure to timely file a proper reply is hereby vacated.

However, as the two month period of reply has expired on May 14, 2005 and no reply having been filed within the two month period, the application remains abandoned.

The Petition is DISMISSED.

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